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Attorneys for Defendants
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IZABELLA KIRITCHENKO, LUDMILLA
KIRITCHENKO, ABS TRADING, INC.,
BRANCROSS U.S. HOLDINGS, INC, XANADU PROPERTY
HOLDINGS, LLC and BRC PROPERTY HOLDINGS, LLC

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
(SAN FRANCISCO DIVISION)

UNIVERSAL TRADING & INVESTMENT
CO.,

Plaintiff,

v.

PETRO MIKOLAYEVICH KIRITCHENKO,
et al.,

Defendants.

Case No.: C 99-3073 MMC (EDL)

**STIPULATION AND ~~PROPOSED~~
ORDER GRANTING DEFENDANTS
LEAVE TO FILE SECOND AMENDED
ANSWER**

**Judge: Hon. Maxine M. Chesney
Courtroom: 7, 19th Floor**

Pursuant to Civil Local Rule 7-12, plaintiff Universal Trading & Investment Company ("UTI") and defendants Peter Kiritchenko, Izabella Kiritchenko, and Ludmilla Kiritchenko (collectively "the Kiritchenko Defendants"), and defendants ABS Trading, Inc., Brancross U.S. Holdings, Inc, Xanadu Property Holdings, LLC and BRC Property Holdings, LLC (collectively, "the Corporate Defendants") stipulate as follows and respectfully request that the Court enter the following Proposed Order:

**STIPULATION AND ~~PROPOSED~~ ORDER GRANTING DEFENDANTS
LEAVE TO FILE SECOND AMENDED ANSWER
C 99-3073 MMC (EDL)**

WHEREAS on or about June 24, 1999, UTI filed its original Complaint in this action;

WHEREAS on January 20, 2000, UTI filed its Second Amended Complaint in this action;

WHEREAS on August 4, 2000, the Kiritchenko Defendants filed their Answer to the Second Amended Complaint;

WHEREAS on August 11, 2000, the Corporate Defendants filed their Answer to the Second Amended Complaint;

WHEREAS, as a result of then-pending criminal proceedings involving Mr. Kiritchenko, the Kiritchenko Defendants invoked their Fifth Amendment rights and on that basis did not respond substantively to portions of the Second Amended Complaint;

WHEREAS, because the corporate representatives who may have provided the Corporate Defendants with the information necessary to respond to the Second Amended Complaint were also parties to this action and were asserting their Fifth Amendment rights, the Corporate Defendants were unable to respond to those allegations of the Second Amended Complaint that implicated the Fifth Amendment concerns of the corporate representatives;

WHEREAS, on December 11, 2006, the Kiritchenko Defendants and the Corporate Defendants, with the exception of ABS Trading, Inc. ("ABS"), sought and received leave to file an amended answer to their previous Answer to the Second Amended Complaint to reflect this;

WHEREAS, on December 12, 2006, the Kiritchenko Defendants and the Corporate Defendants, with the exception of ABS, filed their Amended Answer to the Second Amended Complaint;

WHEREAS, because of pending issues related to whether ABS was in good standing with the state of California, ABS did not amend its previous answer at that time;

WHEREAS the California Secretary of State has now issued a notice of revivor to ABS, and thus ABS now wishes to amend its previous Answer to the Second Amended Complaint to reflect this;

WHEREAS counsel for ABS has addressed this issue with plaintiff UTI, and UTI is willing

**STIPULATION AND [PROPOSED] ORDER GRANTING DEFENDANTS
LEAVE TO FILE SECOND AMENDED ANSWER
C 99-3073 MMC (EDL)**

to stipulate to the filing of the Second Amended Answer to the Second Amended Complaint on behalf of the Kiritchenko Defendants and all of the Corporate Defendants, including ABS;

IT IS HEREBY STIPULATED AND AGREED THAT, subject to Court approval, the Kiritchenko Defendants and the Corporate Defendants shall jointly file the Second Amended Answer to the Second Amended Complaint, a copy of which is attached as Exhibit A.

Dated: April 19, 2007

KRIEG, KELLER, SLOAN, REILLEY & ROMAN LLP

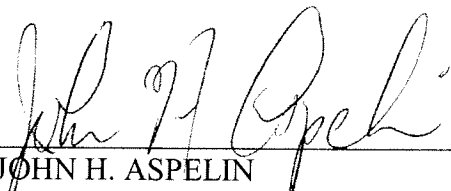
BY: _____/s/

MICHAEL D. LISI
Attorneys for PETER KIRITCHENKO,
IZABELLA KIRITCHENKO, LUDMILLA,
ABS TRADING, INC., BRANCROSS
U.S. HOLDINGS, INC, XANADU PROPERTY
HOLDINGS, LLC and BRC PROPERTY HOLDINGS,
LLC

Dated: April 19, 2007

ASPELIN & BRIDGEMAN

By: _____


JOHN H. ASPELIN
Attorneys for Universal Trading & Investment Co.

PURSUANT TO STIPULATION, IT IS SO ORDERED:

Dated: April 20, 2007



THE HON. MAXINE M. CHESNEY
UNITED STATES DISTRICT COURT